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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

2011 JUL -8 A 9:34

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JUL - 8 2011

GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

[Signature]

IN THE MATTER OF:

DOCKET NO. S-20803A-11-0187

KENT M. AXTELL, individually and doing
business as Sherlock Homes and Finding
Homes for Investors, and JANIS C. AXTELL,
husband and wife;

EXECUTIVE REAL ESTATE SOLUTIONS,
L.L.C., an Arizona limited liability company,

RESPONDENTS.

THIRD
PROCEDURAL ORDER
(Schedules Status Conference)

BY THE COMMISSION:

On May 2, 2011, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Kent M. Axtell, individually and dba Sherlock Homes and Finding Homes for Investors, and Janis C. Axtell, husband and wife, and Executive Real Estate Solutions, L.L.C., an Arizona limited liability company ("Executive") (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of notes and investment contracts.

Respondent's spouse was named in the action solely for purposes of determining the liability of the marital community pursuant to A.R.S. § 44-2031(C).

The Respondents were duly served with copies of the Notice.

On May 20, 2011, a request for hearing was filed by Respondents.

On May 23, 2011, by Procedural Order, a pre-hearing conference was scheduled on June 20, 2011.

On June 2, 2011, counsel for the Respondents filed a Motion to Continue the pre-hearing conference stating that he would be unavailable on the scheduled date. Counsel requested that the

1 pre-hearing conference be scheduled after July 1, 2011. Subsequently, the Division filed a response
2 indicating that it had no objection to the request for a continuance.

3 On June 27, 2011, by Procedural Order, the pre-hearing conference was continued from
4 June 20, 2011, to July 7, 2011.

5 On July 7, 2011, the Division and Respondents appeared through counsel. The parties are
6 discussing a resolution of the issues raised by the Notice. In the interim, the Division requested that a
7 status conference be scheduled in the beginning of September.

8 Accordingly, the status conference should be scheduled.

9 IT IS THEREFORE ORDERED that a **status conference** shall be held on **September 8, 2011,**
10 **at 2:00 p.m.,** at the Commission's offices, 1200 West Washington Street, **Hearing Room No. 1,**
11 **Phoenix, Arizona.**

12 IT IS FURTHER ORDERED that the Division shall file a Motion to Vacate the status
13 conference if the parties reach a settlement which will require Commission approval of a proposed form
14 of Consent Order.

15 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
16 Communications) applies to this proceeding as the matter is now set for public hearing.

17 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance
18 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
19 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
20 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
21 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
22 Administrative Law Judge or the Commission.


23 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
24 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission
25 *pro hac vice*.

26 IT IS FURTHER ORDERED that Respondent's request for discovery shall be taken under
27 advisement.

28 ...

1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 8th day of July, 2011.

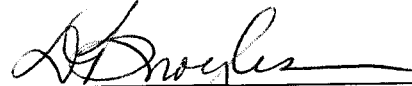
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6 
7 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered
9 this 8th day of July, 2011 to:

10 Jeffrey M. Proper
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Attorneys for Respondents

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Phoenix, AZ 85007

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17 2200 North Central Avenue, Suite 502
Phoenix, AZ 85004

18 By: 
19 Debra Broyles
20 Secretary to Marc E. Stern
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27
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